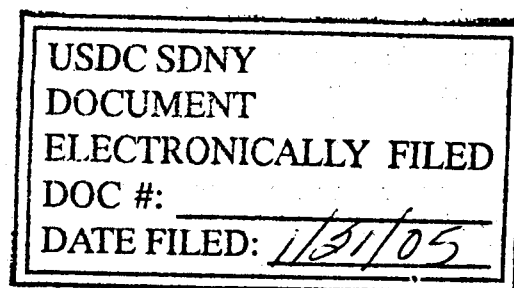


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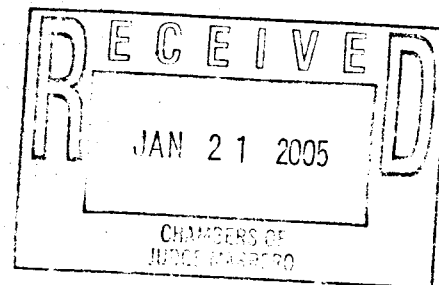


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January 21, 2005

MEMO ENDORSEDVia Facsimile: 212.805.6382

Honorable Victor Marrero
United States District Judge
United States Courthouse
40 Centre Street, Room 414
New York, New York 10007



Re: Van Wagner Enterprises, LLC v. Alexander Brown
Civil Action No. 04-CV-3882 (VM)

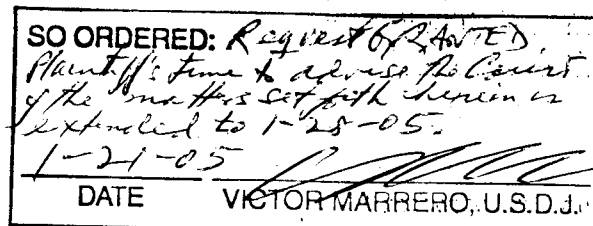
MEMO ENDORSED

Dear Judge Marrero:

This firm represents plaintiff Van Wagner Enterprises, LLC ("VWE") in the above-entitled action.

At the conclusion of the pre-motion conference held on January 14, 2005, the Court granted my request for an opportunity to consult with my clients and confer thereafter with defendant's counsel regarding VWE's position as to certain matters discussed at the conference, including the question as to whether it is VWE's position that this action should proceed in this Court (or, alternatively, should be adjudicated in connection with an action commenced by a VWE affiliate in New York Supreme Court). Due to scheduling issues, I have been unable to discuss these matters fully with my clients and confer in turn with defendant's counsel, Hollis Bart.

Accordingly, I respectfully a one-week extension of time, until January 28, 2005, in which to complete my consultation, confer with Ms. Bart and report to the Court on these matters in writing as directed.



Respectfully,

John C. Ohman

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cc: Hollis Gonerka Bart, Esq. (Via facsimile)